

MINUTES  
TIGARD CITY COUNCIL MEETING  
NOVEMBER 13, 2001

- STUDY SESSION

Present: Mayor Griffith; Councilors Dirksen, Moore, Patton, and Scheckla

Mayor Griffith called the meeting to order at 6:42 p.m.

- > POLICE CONSOLIDATION SURVEY RESULTS UPDATE

Chief of Police Ron Goodpaster briefed the City Council on this issue. He noted that information was given to the Council in June and October. Mr. Goodpaster reviewed the poll results of what is known as the "Hibbits" report. The Chief is concerned with consolidation at this time because of the following issues:

- Cost factors have not been fleshed out.
- Service levels have not been reviewed.
- Community control issues have not been addressed.
- Local identity issues should be considered.

Mr. Goodpaster referred to a report called the "Cogan report" where six key areas of law enforcement were reviewed. Mr. Goodpaster noted that he is not convinced that consolidation is in the citizens' best interest. He advised that more information would likely be presented through the media soon. He reviewed several of the steps that Washington County jurisdictions have already put in place to share and make good use of resources (cooperation and partnerships). Examples include Washington County Consolidated Communications Agency (WCCCA), which is the regional dispatching agency, and also the Tactical Negotiations Team (TNT), which consists of shared personnel for major incidents.

Mr. Goodpaster noted the efforts in the local community, which includes crime prevention, education, and community policing. He referred to administrative support through cooperative efforts among Washington County agencies, which includes a uniform hiring process, consistency in forms (paperwork), and the sharing of information.

Mr. Goodpaster said interagency training is also offered.

> BULL MOUNTAIN ANNEXATION DRAFT STUDY COMMENTS

Information about this matter was distributed to City Council. This item will be reviewed at the November 20 and 27 Council meetings. During these meetings, Council will be reviewing and eventually will need to have a policy discussion on whether to proceed with annexation efforts on Bull Mountain.

> REQUEST FOR NON AGENDA ITEMS (ITEM NO. 13)

The following items were noted for discussion during the Non-Agenda portion of the Council meeting:

- The League of Oregon Cities and City/County Insurance Safety Award.
- Resolution of Appreciation to Robert J. Wheeler – 30 years of service to the City of Tigard.
- Resolution of Appreciation to Robert L. Thompson – 30 years of service to the City of Tigard.

> ADMINISTRATIVE ITEMS

- Goal-Setting Meeting: City Manager Monahan asked the City Council if January 14 or 21, 2002, were available dates for the City Council to meet in a goal-setting session. At this time, both dates were available to the Council members.
- Oregon Electric Group Letter – This letter was distributed to the City Council regarding a quote for providing electricity to a tree in Liberty Park for the Holiday Tree Lighting.

Meeting recessed: 7:24 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Griffith called the City Council & Local Contract Review Board to order at 7:36 p.m.
- 1.2 Roll Call: Mayor Griffith and Councilors Dirksen, Moore, Patton, and Scheckla were present.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None.
- 1.5 Call to Council and Staff for Non-Agenda Items

City Manager Monahan reviewed the non-agenda items to be added to Item No. 13:

- The League of Oregon Cities and City/County Insurance Safety Award.
- Resolution of Appreciation to Robert J. Wheeler – 30 years of service
- Resolution of Appreciation to Robert L. Thompson – 30 years of service

## 2. VISITOR'S AGENDA (Two Minutes or Less, Please)

- Tigard High School Student Envoy Nathan Leamy distributed a report to the City Council highlighting activities of students at Tigard High School.
- Jack Polans, 16000 SW Queen Victoria, King City, Oregon, noted concerns about terrorism. He asked the Mayor and Council to form a separate committee dealing with terrorists.
- Tyler Ellenson, Tigard Central Business District Association announced that there will be a holiday tree lighting at Liberty Park from 7-8:30 p.m. on Friday, November 30. He invited the Mayor and Council to attend and say a few words during the program. He advised there is a need for permanent electrical power to the tree at Liberty Park, which will be used for the tree lighting event. Mr. Ellenson referred to a letter from Oregon Electric Group quoting the cost for the electrical work would be \$4,949. There is approximately \$26,600 remaining in the budget allocated to assist the Tigard downtown area. He requested that funds be authorized to be expended from this budget for the electrical power.

Mr. Ellenson described some of the activities planned for the holiday tree lighting event. After brief discussion, consensus of the City Council was to proceed with the expenditure of funds for electrical power as requested.

## 3. CONSENT AGENDA:

Motion by Councilor Scheckla, seconded by Councilor Dirksen, to approve the Consent Agenda as follows:

- 3.1 Approve Council Minutes for August 28 and September 18, 2001
- 3.2 Receive and File:
  - a. Council Calendar
  - b. Tentative Agenda
- 3.3 Appoint Bret A. Johnson as a Tree Board Member and Brooks Gaston as a Tree Board Alternate – Resolution No. 01-67
- 3.4 Approve City Manager's Recommendations for Representation on the Cooperative Library Advisory Board – Resolution No. 01-68
- 3.5 Local Contract Review Board
  - a. Award Bid for the Construction of the SW Gaarde Street Pressure Reducing Valve Vault (CIP No. W01-101) to W.G. Moe & Sons

The motion was approved by a unanimous vote of Council present:

Mayor Griffith -	Yes
Councilor Dirksen -	Yes
Councilor Moore -	Yes
Councilor Patton -	Yes
Councilor Scheckla -	Yes

4. CONSIDER AMENDMENT TO CHAPTER 5.12 OF THE TIGARD MUNICIPAL CODE PERTAINING TO REGULATION AND ADMINISTRATION OF THE CABLE SYSTEM

Assistant to the City Manager Liz Newton presented the staff report, which is on file in the City Recorder's office. The staff report summarized the proposed amendments that would delete details regarding cable franchise selection and administration and add some definitions.

Motion by Councilor Moore, seconded by Councilor Patton, to adopt Ordinance No. 01-20.

ORDINANCE NO. 01-20 – AN ORDINANCE AMENDING CHAPTER 5.12 OF THE TIGARD MUNICIPAL CODE PERTAINING TO REGULATION AND ADMINISTRATION OF THE CABLE SYSTEM.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith -	Yes
Councilor Dirksen -	Yes
Councilor Moore -	Yes
Councilor Patton -	Yes
Councilor Scheckla -	Yes

5. INTRODUCE BRET A. JOHNSON AS NEWLY APPOINTED TREE BOARD MEMBER AND BROOKS GASTON AS NEWLY APPOINTED TREE BOARD ALTERNATE

Mayor Griffith welcomed Mr. Bret Johnson to the Tree Board. Mr. Brooks Gaston, Tree Board Alternate was unable to attend the meeting.

6. PUBLIC HEARING - CONSIDER AUTHORIZING A LOAN FROM THE SPECIAL PUBLIC WORKS FUND BY ENTERING INTO A LOAN CONTRACT WITH THE OREGON ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT

- a. Mayor Griffith opened the public hearing.
- b. Finance Director Craig Prosser presented the staff report. A copy of the written report presented to the City Council is on file with the City Recorder. The issue before the Council was whether the City Council should authorize the City to take out a loan from the Oregon Economic and Community Development Department (OECDD) to finance the Cook Park improvement project over a ten-year period.
- c. Public Testimony: No one signed in to testify.
- d. Council Questions/Comments

After presenting the Staff Report, Mr. Prosser clarified several items for Council members including the fact that money will be provided to the City of Tigard from this loan on a reimbursement basis. This means the City will need to "front" the costs of the improvements. Because of the loan, the City will be able to complete improvements to Cook Park in 2002.

- e. Mayor Griffith closed the public hearing.
- f. Motion by Councilor Moore, seconded by Councilor Scheckla, to adopt Resolution No. 01-68.

RESOLUTION NO. 01-68 – A RESOLUTION AUTHORIZING A LOAN FROM THE SPECIAL PUBLIC WORKS FUND BY ENTERING INTO A LOAN CONTRACT WITH THE OREGON ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT.

The motion was approved by a unanimous vote of City Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Patton:	Yes
Councilor Scheckla	Yes

7. INFORMATIONAL PUBLIC HEARING - FINALIZE FORMATION OF SANITARY SEWER REIMBURSEMENT DISTRICT NO. 18 ESTABLISHED TO INSTALL SEWERS IN SW WALNUT STREET AND SW 121<sup>ST</sup> AVENUE

- a. Mayor Griffith opened the public hearing.
- b. Project Engineer Greg Berry presented the staff report, which is on file in the City Recorder's office.
- c. Public Testimony: None.
- d. Mayor Griffith closed the public hearing.
- e. Motion by Councilor Moore, seconded by Councilor Patton, to approve the finalization of Sanitary Sewer Reimbursement District No. 18.

The motion was approved by a unanimous vote of City Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Patton:	Yes
Councilor Scheckla	Yes

Agenda Item No. 9 was heard at this time.

8. REVIEW UPDATE ON FANNO CREEK TRAIL

Community Development Director Jim Hendryx introduced this agenda item. Also presenting information to the Council was Associate Planner Duane Roberts and Bob Bothman who is Chair of the Fanno Creek Trail Working Group.

Mr. Bothman reviewed a PowerPoint presentation, a copy of which is on file in the City Recorder's office. This presentation illustrated the Fanno Creek Greenway Trail, which is an important in the regional trails and greenways network. After Mr. Bothman's comments, Mr. Roberts presented a PowerPoint presentation, which is on file in the City Recorder's office.

9. REVIEW REPORT ON MAINTENANCE OF MERESTONE POND (SW 121<sup>ST</sup> AVENUE)

Project Engineer Greg Berry presented the staff report, which is on file in the City Recorder's office.

Mr. Berry reviewed the current maintenance program for Merestone Pond. The beaver dam has reached a stable level and is about 1-1/2 foot higher than what been agreed to by property owners; however, this appears to be acceptable to the

owners. The neighbors have been helping on an informal basis, although Public Works has not requested assistance from a neighborhood volunteer group because of safety concerns. It was noted that this dam blocks fish from traveling in the stream, but this is a "natural dam."

10. **CONSIDER AMENDMENT TO CHAPTER 11.08 OF THE TIGARD MUNICIPAL CODE (TMC) PERTAINING TO BURGLARY AND ROBBERY ALARM SYSTEMS**

Police Chief Ron Goodpaster presented the staff report, which is on file in the City Recorder's office. Under consideration were several code amendments in TMC 11.08.

Motion by Councilor Dirksen, seconded by Councilor Scheckla, to adopt Ordinance No. 01-21.

**ORDINANCE NO. 01-21 – AN ORDINANCE AMENDING SECTION 11.08 OF THE TIGARD MUNICIPAL CODE – BURGLARY AND ROBBERY ALARM SYSTEMS**

The motion was approved by a unanimous vote of City Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Patton:	Yes
Councilor Scheckla	Yes

11. **CONSIDER ELIMINATION OF CHAPTER 2.06 OF THE TIGARD MUNICIPAL CODE PERTAINING TO RESIDENCY REQUIREMENTS**

City Manager Monahan presented the staff report, which is on file in the City Recorder's office. Councilor Scheckla recalled that in 1978 he had served on the City Council and, at that time, the majority of Council established the residency requirements for department heads. He noted that he had not been in agreement with the proposal that was adopted in 1978.

Consensus of City Council was that this language was antiquated.

Motion by Councilor Scheckla, seconded by Councilor Dirksen, to adopt Ordinance No. 01-22.

ORDINANCE NO. 01-22 – AN ORDINANCE DELETING CHAPTER 2.06,  
RESIDENCY REQUIREMENTS, OF THE TIGARD MUNICIPAL CODE.

The motion was approved by a unanimous vote of City Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Patton:	Yes
Councilor Scheckla	Yes

12. COUNCIL LIAISON REPORTS: None.

13. NON AGENDA ITEMS:

- League of Oregon Cities-City/County Insurance Services Safety Award. A page entitled "Comments for the Mayor" is on file in the City Recorder's office describing the award bestowed upon the City of Tigard. The City of Tigard was notified of this Gold Medal Safety when awarded at the 76<sup>th</sup> Annual League of Oregon Cities conference held in Eugene earlier this month. Award winners are determined by the lowest injury frequency rate. This rate is computed by the number of lost-time injuries per 200,000 person hours worked. Tigard's injury-frequency rate was 1.10 for the fiscal year 2000-2001. Over the previous two years, the City received the Silver Award. Congratulations are in order for each and every City employee and their outstanding achievement in maintaining a safe work place.
- RESOLUTION NO. 01-69 – A RESOLUTION RECOGNIZING ROBERT (BOB) J. WHEELER FOR THIRTY YEARS OF SERVICE TO THE CITY OF TIGARD.

Motion by Councilor Scheckla, seconded by Councilor Patton, to adopt Resolution No. 01-69.

The motion was approved by a unanimous vote of City Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Patton:	Yes
Councilor Scheckla	Yes



- RESOLUTION NO. 01-70 -- A RESOLUTION RECOGNIZING ROBERT (BOB) L. THOMPSON FOR THIRTY YEARS OF SERVICE TO THE CITY OF TIGARD.

Motion by Councilor Patton, seconded by Councilor Dirksen, to adopt Resolution No. 01-70.

The motion was approved by a unanimous vote of City Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Patton:	Yes
Councilor Scheckla	Yes

- Mayor Griffith announced that there would be a Skateboard Park Task Force meeting on Thursday, 7 p.m.

Mayor announced that the Council at this time would be moving its meeting to the Red Rock Creek Conference Room to discuss the remaining Study Session Items and then the Council would be convening into an Executive Session.

The Council meeting recessed at 9:10 p.m.  
Study Session reconvened at 9:15 p.m.

#### STUDY SESSION (Continued)

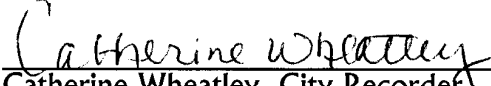
- Council received two memorandums from Clean Water Services dated November 9, 2001, regarding regional water supply issues. These letters are on file in the City Recorder's office. City Manager Monahan noted that Washington County Chair Tom Brian and County Commissioner Roy Rogers have expressed interest in providing water for eastern Washington County through assistance from Clean Water Services. Mr. Monahan noted that the City of Tigard has a good relationship with the Joint Water Commission and would be cautious in doing anything that might harm the relationship. There is a meeting that will be held on November 27 that has been called by Chair Brian to discuss this matter. Mayor Griffith noted that he would be interested in reviewing this proposal only if it could be shown that they (the County and Clean Water Services) would move forward immediately. Mayor Griffith advised that he would not want any additional studies to be requested.

Councilor Patton referred to an elected officials meeting that she and Mayor Griffith would attend on November 16, where this matter would be discussed. The County has suggested that Scoggins dam could be raised more than what is currently planned plus they would want to coordinate federal funding.

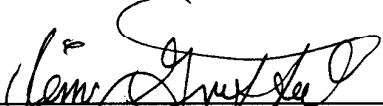
- Council briefly discussed the upcoming National League of Cities conference. Discussion topics included transportation once the conference attendees arrived in Atlanta, some of the conference workshops to be held at the conference, and transportation to the airport.
- City Manager Monahan noted that Attorney Ed Sullivan forwarded an e-mail communication requesting two waivers of conflict of interest. A copy of the request is on file in the City Recorder's office. Mr. Monahan noted that Community Development Director Jim Hendryx said he had no concerns with this request. After discussion, Council member agreed the waiver would be granted for Mr. Sullivan to assist these clients through the administrative process. However, the waiver would not be granted if these issues were appealed.
- Metro Listening Posts – Information was distributed to the City Council, which is on file with the City Recorder. Listening Posts for the Metro Green Ribbon Committee were scheduled for November 13 and 20 – both these dates are Tuesday nights. City Manager Monahan responded to Metro and informed them that these dates are at the same time the Tigard City Council meets. He requested that Metro make an effort to avoid such conflicts in the future with meetings that would be of interest to the City of Tigard.

14. EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 9:40 p.m. under ORS 192.660 (1) (e) to discuss a real property transaction.

15. ADJOURNMENT: 9:55 p.m.

  
Catherine Wheatley, City Recorder

Attest:

  
Mayor, (City of Tigard)  
Date: 1-8-02

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